## IN THE UNITED STATES DISTRICT COURT DISTRICT OF NEW MEXICO

THE BOARD OF COUNTY COMMISSIONERS OF OTERO COUNTY, NEW MEXICO,	) ) civ No. 2:12-cv-00462-JAP-CEG
Petitioner,	)
	) )
v.	)
	)
UNITED STATES DEPARTMENT OF	) )
INTERIOR BUREAU OF LAND	)
MANAGEMENT, NEW MEXICO STATE	)
OFFICE	)
Respondents.	)

## **DISMISSAL WITHOUT PREJUDICE**

COMES NOW, the Board of County Commissioners of Otero County, New Mexico upon the direction of the Chairman of the Board and hereby dismisses the above styled and numbered cause of action without prejudice.

Pursuant to Federal Rules of Civil Procedure Rule 41 Dismissal of actions (a) (1) (A) (i) dismissal is proper voluntarily by Plaintiff because the Defendants have not filed either an Answer or a Motion for Summary Judgment.

Signed Electronically	
Mark Pollot	
Attorney for Petitioner	
Signed Electronically	
Daniel A. Bryant	
Attorney for Petitioner	

## **CERTIFICATE OF SERVICE**

I hereby certify that on July 26, 2012 copies of the foregoing documents were served by the Court's ECF Notice System and electronic mail on the following counsel of record:

Michael H. Hoses
U.S. Attorneys Office
District of New Mexico
P.O. Box 607
Albuquerque, NM 87103
505-346-7274
Email: michael.hoses@usdoj.gov
Lead Attorney
Attorney to be noticed

Andrew A. Smith U.S. Department of Justice c/o U.S. Attorneys Office

P.0.Box 607

Albuquerque, NM 87103

505-224-1468

Fax: 505-346-7205

Email: Andrew.smith@usdoj.gov

Attorney to be noticed

Ruth Keegan U.S. Attorney's Office 201 Third Street NW Suite 900 Albuquerque, NM 87102 505-346-7296

Fax: 505-346-7296

Email: ruth.f.keegan@usdoj.gov

Attorney to be noticed

Signed electronically 7-26-12

Mark Pollot

Signed electronically 7-26-12

Daniel A. Bryant